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8
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 PHILADELPHIA INDEMNITY
12 INSURANCE COMPANY, a Pennsylvania
Corporation;

CASE NO.: 2:17-cv-00871-APG-PAL

13 Plaintiff,
v.

ORDER

14 FIVE STAR RESTAURANTS, LLC, a
15 Nevada limited liability company;
WESTBURY MANOR ENTERPRISES,
16 INC., a Delaware foreign business
corporation; VINCENT SCOTTO, an
17 individual; MICHELINA SCOTTO, an
individual; DOE INDIVIDUALS 1 through
18 10, inclusive; ROE BUSINESS ENTITIES
11 through 20, inclusive;

19 Defendants.

20
21 This matter came on for hearing before the Court based upon the Order Setting Briefing
22 Schedule on Distribution of Sale Proceeds (ECF No. 66).

23 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:**

24 1. The amount of \$100,000.00 shall be immediately released to Philadelphia
25 Indemnity Insurance from the Omni Abstract Corp. Escrow Account No. 020722184 ("Escrow
26 Account");

27 2. The amount of \$326,189.00 shall be immediately released to Westbury Manor
28 Enterprises, Inc. from the Escrow Account.

3. The balance of \$250,000.00 shall remain in the Escrow Account pending further order from this Court;

4. The Parties shall continue to work together to agree upon the distribution of the remaining \$250,000.00 in the Escrow Account; and

5. In the absence of a mutual resolution, the Parties shall appear before the Court for a Status Check on May 16, 2018 at 9:00 a.m. to discuss additional distributions. Each side shall file a brief – no longer than five pages – proposing how the proceeds should be distributed and providing the basis for their respective proposals. The briefs shall be filed no later than 5:00 p.m. on Wednesday, May 9, 2018. Should an agreement be reached, the parties shall submit a stipulation and proposed order and the Court will vacate the May 16, 2018 Status Check.

Dated: March 14, 2018.

UNITED STATES DISTRICT COURT JUDGE
ANDREW P. GORDON

Respectfully submitted by:

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: /s/ Adam K. Bult
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Approved as to form and content:

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